

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *af* D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENN. MEMPHIS

ISABEL BALLESTEROS GALVEZ and
MARVIN ALEXANDER,

Plaintiffs,

vs.

WAL-MART STORES, INC.,

Defendant.

Civ. No. *04*
05-2393-M1/P

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held September 8, 2005. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):
Completed

JOINING PARTIES: September 23, 2005

AMENDING PLEADINGS: September 23, 2005

INITIAL MOTIONS TO DISMISS: N/A

COMPLETING ALL DISCOVERY: December 9, 2005

(a) DOCUMENT PRODUCTION December 9, 2005

(b) DEPOSITIONS, INTERROGATORIES and REQUESTS FOR ADMISSIONS:
December 9, 2005

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(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: October 7, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: October 28, 2005

(3) EXPERT WITNESS DEPOSITIONS: December 9, 2005

(d) RULE 26(e) SUPPLEMENTATION DUE: November 11, 2005

FILING DISPOSITIVE MOTIONS: January 13, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last approximately two (2) days.

This case may be appropriate for ADR. The parties are to appear before Magistrate Judge Pham on Thursday, November 3, 2005, at 9:30 a.m., for a status conference to discuss the possibility of ADR.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

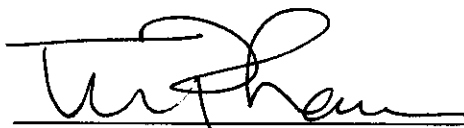
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties do not consent to all matters being conducted by the Magistrate Judge, including the conducting of a jury trial, if properly demanded, with any appeal of the verdict to be directly to the Sixth Circuit Court of Appeals, pursuant to 28 U.S.C. § 636(c).

The parties do not consent to the supervision by the assigned Magistrate Judge of attorney conducted voir dire and jury selection, subject to de novo review by the presiding District Judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

September 8, 2005

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 24 in case 2:04-CV-02393 was distributed by fax, mail, or direct printing on September 12, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT